

THE UNIVERSITY OF VERMONT
and the ADVISORY COMMITTEE TO THE
U. S. DISTRICT COURT FOR THE DISTRICT OF VERMONT

Are Pleased To Sponsor An Important Public Forum:

THE CONSTITUTIONAL RIGHTS OF THE INDIVIDUAL
During Times of War or Other National Emergency

VS.

NATIONAL SECURITY NEEDS OF THE NATION



MONDAY, OCTOBER 6, 2008

1:30 - 5:00 P.M.

THE UNIVERSITY OF VERMONT'S

DUDLEY H. DAVIS CENTER

GRAND MAPLE BALLROOM - 4TH FLOOR

590 MAIN STREET

BURLINGTON, VERMONT

This program is open to the public on a first-come, first-seated basis. No registration is required.
3.5 Continuing Legal Education Credits are offered.

The Program

The University of Vermont, in conjunction with the Advisory Committee to the United States District Court for the District of Vermont, is pleased to offer a program addressing the tension between the Constitutional rights afforded to individuals and national security interests, especially during times of national crisis or emergency. A panel of experts will question whether personal freedoms are appropriately limited during times of national crisis. Two initial presentations will describe how wartime presidents - with bipartisan support or congressional acquiescence - have pressed the limits of executive authority at the expense of individual liberties during times of national crisis starting with the birth of the Nation and continuing through the Civil War, two World Wars, and up to current events taking place at the United States detainment camp at Guantanamo Bay, Cuba. Following these two presentations, two former high-level Justice Department executives will offer the view that national security becomes of paramount importance during times of national crisis and justifies the limitation of certain personal freedoms. Following these presentations, Vermont Law School professor Stephen Dycus will lead a panel discussion which will entertain written questions from the audience.

The Moderator

Professor Stephen Dycus, Esq., is a member of the Vermont Law School faculty where he teaches National Security and International law. He holds B.A. and LL.B. degrees from Southern Methodist University and an LL.M. from Harvard University. He has been a visiting professor at the U.S. Military Academy at West Point and a member of the Law Faculty of the State University of Petrozavodsk (Russia). Prof. Dycus has also authored and co-authored three books: *National Security Law*; *Counterterrorism Law*; and *National Defense and the Environment*.

The Panelists

Adam G. Ciongoli is General Counsel of Willis Group Holdings Limited, the world's third largest global risk management and insurance brokerage company. Prior to joining Willis, Mr. Ciongoli served as a law clerk to U.S. Supreme Court Justice Samuel A. Alito, Jr. Mr. Ciongoli previously served as the Counselor to United States Attorney General John Ashcroft, as the sole liaison for the Executive Branch with the Independent 9/11 Commission, and as Chief Counsel to the United States Senate Subcommittee on the Constitution. Mr. Ciongoli taught American

constitutional law as an adjunct professor for Georgetown University Law Center and currently teaches a seminar entitled "Separation of Powers and the Law of National Security" at Columbia University Law School.

Pierce O'Donnell, Esq. is the founder of O'Donnell & Associates, PC., a nationally known trial and litigation firm. In 1995, Mr. O'Donnell won the landmark case of *Metro-Goldwyn-Mayer v. American Honda Motor Co.*, which recognized the federal copyright protection of Ian Fleming's fictional movie character James Bond. Mr. O'Donnell is a noted author of over 200 articles and five books, including *In Time of War*, a historical account of eight German terrorists who reached American soil during June 1942 and were tasked with the mission of blowing up major buildings and railroad hubs throughout the United States.

Barry Richard, Esq. is a litigator and principal shareholder in the Tallahassee, Florida office of Greenberg Traurig, LLP, a 1350-lawyer firm. Mr. Richard is one of the nation's leading litigation and appellate lawyers and gained national recognition as counsel for George W. Bush during the 2000 *Florida Bush v. Gore* presidential election litigation. He is a strong advocate for the preservation of fundamental American liberties.

George J. Terwilliger, III, Esq. is a partner of White & Case, an international law firm, and head of the White Collar Practice Group located in its Washington, DC offices. Prior to entering private practice, Mr. Terwilliger was a presidential appointee in two administrations. As United States Attorney for the District of Vermont, he served as the state of Vermont's chief federal prosecutor. Mr. Terwilliger later continued public service as the Deputy Attorney General, the number two position in the United States Department of Justice where he was in charge of operations and crisis response.

The Organizer

Robert B. Hemley, Esq. is a trial attorney and shareholder in the Burlington law firm of Gravel & Shea. Mr. Hemley is the Chairperson of the Advisory Committee to the United States District Court for the District of Vermont and the individual responsible for organizing this public forum.

THE PROGRAM AGENDA

Monday, October 6, 2008
Dudley H. Davis Center
Grand Maple Ballroom - Fourth Floor

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| 1:30 PM | Introduction of the Moderator and Panelists

<i>Robert B. Hemley, Esq.</i> |
| 1:35 PM | “Security, Pseudo-Patriotism and the Erosion of American Liberties,” A Multi-Media Presentation

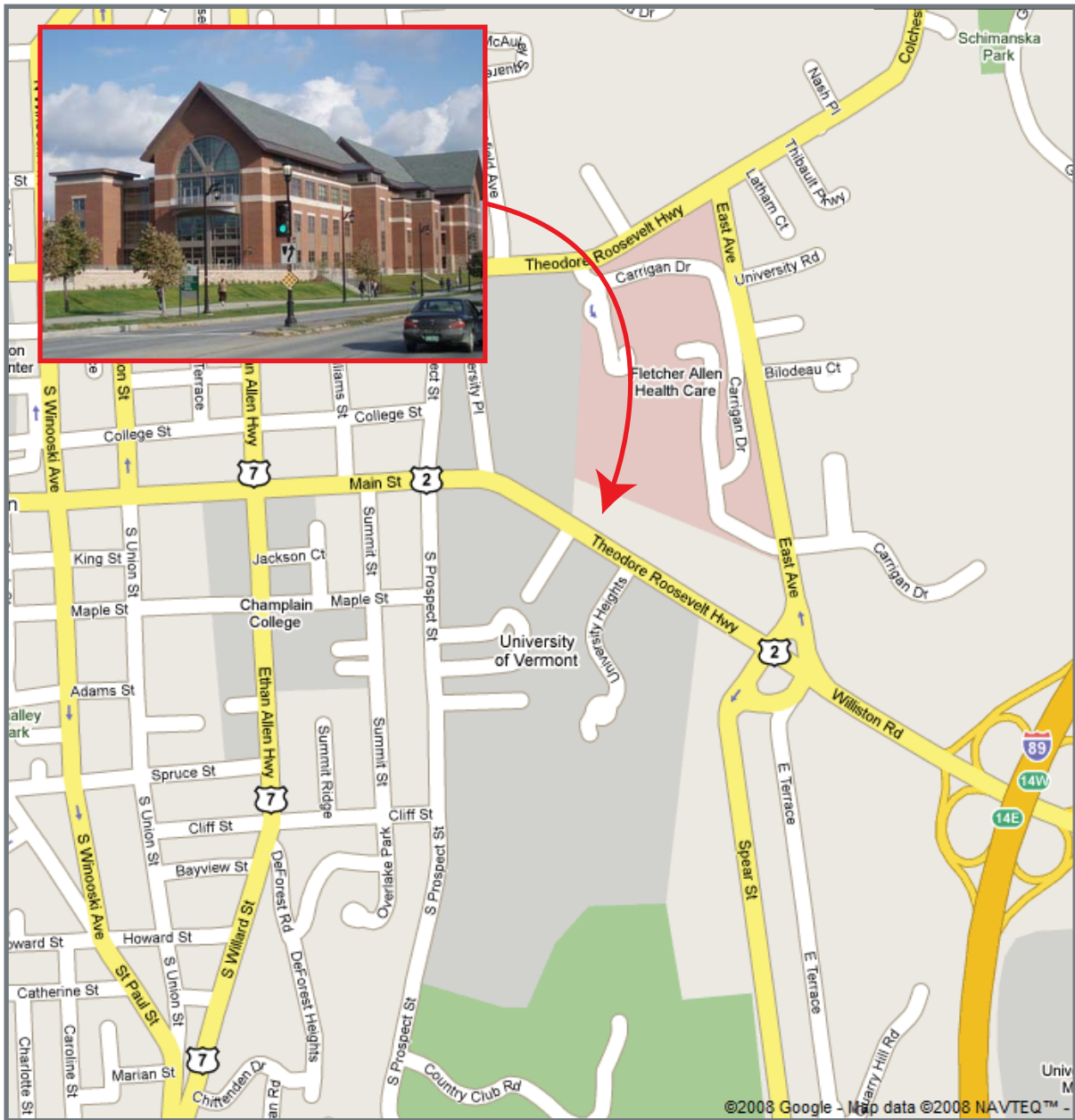
<i>Barry Richard, Esq.</i> |
| 2:15 PM | “In Time of War: A Historical Presentation of the Treatment of Civil Liberties In Times of Crisis – From the American Revolution to the Present”

<i>Pierce O'Donnell, Esq.</i> |
| 3:00 PM | “National Security: The View From the Justice Department & the Department of Homeland Security”

<i>Adam Ciongoli, Esq. & George Terwilliger, III, Esq.</i> |
| 4:00 PM | Panel Discussion: The Core Issue - Civil Liberties vs. National Security

<i>Moderator Professor Stephen Dycus With Panel Members</i> |
| 5:00 PM | Program Summary & Conclusion

<i>Professor Stephen Dycus</i> |



Directions to the Dudley Davis Center at the University of Vermont:

Northbound: Interstate 89 South to Exit 14E. Remain on Williston Road/Main Street until reaching the Davis Center at 590 Main Street.

From the City: Northeast on Main Street until reaching the Davis Center at 590 Main Street.

Parking on the UVM campus is limited and restricted to vehicles having a valid UVM parking pass. Parking will be available at UVM's Gutterson parking garage located on Spear Street. A shuttle service will also be available from the garage to the Davis Center starting at 1:00 p.m.